



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK,
CALIFORNIA 90651-1024 (562) 462-2716

CONNY B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

September 5, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AGREEMENT WITH LOS ANGELES TIMES
& EDISON MEDIA RESEARCH
FOR 2003 STATEWIDE SPECIAL ELECTION SNAP TALLIES
(ALL SUPERVISORIAL DISTRICTS) (3-VOTE)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and Instruct Chairman to sign agreements with Los Angeles Times and Edison Media Research for the County to conduct snap tally services in 36 of the 1,786 precincts throughout the County in the October 7, 2003 Statewide Special Election.
2. All costs associated with these procedures will be reimbursed by Los Angeles Times and Edison Media Research.

Purpose of Recommended Action:

For many years, Los Angeles County has made snap tally services available to the news media to enable them to establish voting trends in certain election contests.

Justification:

Snap tallies are specifically authorized by Elections Code sections 14440-14443.

The Honorable Board of Supervisors
September 5, 2003
Page 2

Fiscal Impact:

Los Angeles Times and Edison Media Research will pay all costs associated with the snap tally process.

Financing:

(Not applicable)

Facts And Provisions/Legal Requirements:

Snap tallies do not interfere with the conduct of the election. Snap tallies will take place after all of the polls have closed and will not in any way delay the County's tally of election results. As your Board has been concerned in the past with early release of exit polling results, I have attached a statement from Los Angeles Times and Edison Media Research reaffirming their policy of not releasing such results until all of the polls in the State of California have closed.

Respectfully submitted,

CONNY B. McCORMACK
Registrar-Recorder/County Clerk

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

SNAP TALLY AGREEMENT

This agreement is made this _____ day of _____, 2003, by and between the County of Los Angeles (COUNTY) and Los Angeles Times, hereinafter referred to as TIMES.

W H E R E A S

- A. The results of the October 7 Statewide Special Election for the recall measure, Proposition 53 and 54 and total votes cast for all candidates for Governor by candidate is of more than ordinary interest to the citizens of the County of Los Angeles; and
- B. TIMES has the capability for prompt dissemination of election returns to the public; and
- C. COUNTY desires the prompt public dissemination of such information; and
- D. TIMES desires to disseminate such information at the earliest lawful and possible time on October 7, 2003, and is willing to assist financially in conducting an unofficial count of ballots in certain selected precincts for that purpose; and

- E. Chapter 4 of Article 4 (Sections 14440-14443) of the California Elections Code permits such a count;

NOW, THEREFORE, the parties agree as follows:

1. COUNTY agrees to conduct an unofficial count of the election ballots cast for the recall measure, Proposition 53 and 54 and total votes cast for all candidates for Governor by candidate in the COUNTY tally facility promptly after the completion of the balloting and poll closing procedures and once delivered from each respective polling place.
2. Attached hereto and incorporated herein as if set forth in full is a list of precincts selected, totaling 19.
3. Each precinct will consist of two Inspectors. The on-site polling place Inspector shall be informed by COUNTY that, after the completion of poll closing procedures, he or she shall provide the red box to the election coordinator who will deliver the red ballot box to the central precinct Inspector at the designated COUNTY tally facility to conduct said unofficial count for each precinct and make the results of the count available to TIMES.
4. Each of the election coordinators shall receive from the COUNTY, in addition to the regular wages, three additional hours plus mileage for the additional training and services required pursuant to this agreement.

5. Upon completing the normal poll closing procedure, the inspector of a designated precinct shall promptly do or cause to be done in any reasonable sequence the following:
 - a) Hand red ballot box to COUNTY election coordinator who is to deliver the red ballot box directly to the COUNTY central precinct Inspector where ballots will be counted by the central precinct Inspector on ballot counting machines specifically set aside for snap tally. Upon tally completion, the central precinct Inspector will provide a copy of the results of the count to the designated representative of TIMES who is then present at the COUNTY facility.
 - b) Central precinct Inspector will post the results of the count at the door of COUNTY tally facility.
 - c) Central precinct Inspector will return to COUNTY a copy of the results of the count.
6. In consideration of COUNTY'S services as set forth in this agreement, TIMES shall pay to COUNTY the cost of COUNTY'S services. For the purposes of this agreement, the actual cost of the COUNTY'S services shall be computed by COUNTY; the maximum liability of TIMES under this agreement shall not exceed \$4,500.

7. No employee or representative of TIMES shall interfere in any way with the unofficial ballot count or any of the official election activities of COUNTY.
8. TIMES agrees to abide by Section 15152 of the California Elections Code that forbids the release of any vote count if the polls in any count in California are required to remain open beyond 8 p.m. Such vote results will not be released unless and until all polls are officially closed.

IN WITNESS THEREOF, the Board of Supervisors of the County of Los Angeles has caused this Agreement to be subscribed by its Chair and the seal of said Board to be hereto affixed and attested by the Executive Officer-Clerk thereof, and Los Angeles Times has respectively caused this Agreement to be subscribed in its respective behalf by the duly authorized officer, on the date first above written.

COUNTY OF LOS ANGELES

By _____
Chair, Board of Supervisors

ATTEST:
VIOLET VARONA-LUKENS, Executive Officer –
Clerk of the Board of Supervisors
of the County of Los Angeles

By _____

LOS ANGELES TIMES

By _____

Title _____

APPROVED AS TO FORM:
LLOYD W. PELLMAN, COUNTY COUNSEL

By _____

Judy W. Whitehurst
Senior Deputy County Counsel

ATTACHMENT

LOS ANGELES TIMES SNAP TALLY PRECINCTS

SPECIAL ELECTION – OCTOBER 7, 2003

| | |
|-------|---|
| Count | Recall Measure |
| | Propositions 53 |
| | Propositions 54 |
| | Total Votes Cast for all candidates for Governor by candidate |

| <u>PRECINCT</u> | <u>CITY</u> |
|-----------------|---------------------|
| 0070041A | AGOURA |
| 0930001A | BONNER (LONG BEACH) |
| 1000076A | CALABASAS |
| 1500074A | COVINA |
| 2040014A | E SAN GABRIEL |
| 2500008A | GARDENA |
| 2550034A | GLENDALE |
| 2850017A | HUNTINGTON PARK |
| 2950092A | INGLEWOOD |
| 3800010A | LOMITA |
| 3850321A | LONG BEACH |
| 4800038A | NORWALK |
| 6220090A | SANTA CLARITA |
| 6600006A | S PASADENA |
| 9000002A | LOS ANGELES |
| 9000788A | LOS ANGELES |
| 9001310A | LOS ANGELES |
| 9001444A | LOS ANGELES |
| 9001522A | LOS ANGELES |

SNAP TALLY AGREEMENT

This agreement is made this _____ day of _____, 2003, by and between the County of Los Angeles (COUNTY) and Edison Media Research, hereinafter referred to as EDISON.

W H E R E A S

- A. The results of the October 7 Statewide Special Election for the recall measure, candidates for Governor (Bustamante, Schwarzeneger, McClintock, Uberoth, Huffington, Simon, Coleman, Flynt), Proposition 53 and 54 and total votes cast is more than ordinary interest to the citizens of the County of Los Angeles; and
- B. EDISON has the capability for prompt dissemination of election returns to the public; and
- C. COUNTY desires the prompt public dissemination of such information; and
- D. EDISON desires to disseminate such information at the earliest lawful and possible time on October 7, 2003, and is willing to assist financially in conducting an unofficial count of ballots in certain selected precincts for that purpose; and

E. Chapter 4 of Article 4 (Sections 14440-14443) of the California Elections Code permits such a count;

NOW, THEREFORE, the parties agree as follows:

1. COUNTY agrees to conduct an unofficial count of the election ballots cast for the recall measure, Governor (Bustamante, Schwarzeneger, McClintock, Uberoth, Huffington, Simon, Coleman, Flynt) Proposition 53 and 54 and total votes cast in the COUNTY tally facility promptly after the completion of the balloting and poll closing procedures and once delivered from each respective polling place.
2. Attached hereto and incorporated herein as if set forth in full is a list of precincts selected, totaling 17.
3. Each precinct will consist of two Inspectors. The on-site polling place Inspector shall be informed by COUNTY that, after the completion of poll closing procedures, he or she shall provide the red box to the election coordinator who will deliver the red ballot box to the central precinct Inspector at the designated COUNTY tally facility to conduct said unofficial count for each precinct and make the results of the count available to EDISON.
4. Each of the election coordinators shall receive from the COUNTY, in addition to the regular wages, three additional hours plus mileage for the additional training and services required pursuant to this agreement.

5. Upon completing the normal poll closing procedure, the inspector of a designated precinct shall promptly do or cause to be done in any reasonable sequence the following:
 - a) Hand red ballot box to COUNTY election coordinator who is to deliver the red ballot box directly to the COUNTY central precinct Inspector where ballots will be counted by the central precinct Inspector on ballot counting machines specifically set aside for snap tally. Upon tally completion, the central precinct Inspector will provide a copy of the results of the count to the designated representative of EDISON who is then present at the COUNTY facility.
 - b) Central precinct Inspector will post the results of the count at the door of COUNTY tally facility.
 - c) Central precinct Inspector will return to COUNTY a copy of the results of the count.
6. In consideration of COUNTY'S services as set forth in this agreement, EDISON shall pay to COUNTY the cost of COUNTY'S services. For the purposes of this agreement, the actual cost of the COUNTY'S services shall be computed by COUNTY; the maximum liability of EDISON under this agreement shall not exceed \$4,000.

7. No employee or representative of EDISON shall interfere in any way with the unofficial ballot count or any of the official election activities of COUNTY.
8. EDISON agrees to abide by Section 15152 of the California Elections Code that forbids the release of any vote count if the polls in any count in California are required to remain open beyond 8 p.m. Such vote results will not be released unless and until all polls are officially closed.

IN WITNESS THEREOF, the Board of Supervisors of the County of Los Angeles has caused this Agreement to be subscribed by its Chair and the seal of said Board to be hereto affixed and attested by the Executive Officer-Clerk thereof, and Edison Media Research has respectively caused this Agreement to be subscribed in its respective behalf by the duly authorized officer, on the date first above written.

COUNTY OF LOS ANGELES

By _____
Chair, Board of Supervisors

ATTEST:
VIOLET VARONA-LUKENS, Executive Officer –
Clerk of the Board of Supervisors
of the County of Los Angeles

By _____

EDISON MEDIA RESEARCH

By _____

Title _____

APPROVED AS TO FORM:
LLOYD W. PELLMAN, COUNTY COUNSEL

By _____

Judy W. Whitehurst
Senior Deputy County Counsel

ATTACHMENT

EDISON MEDIA RESEARCH SNAP TALLY PRECINCTS

SPECIAL ELECTION – OCTOBER 7, 2003

| Count | Recall Measure Governor (Bustamante, Schwarzeneger, McClintock, Uberoth, Huffington, Simon, Coleman, Flynt) Propositions 53 Propositions 54 Total Votes Cast |
|-----------------|--|
| <u>PRECINCT</u> | <u>CITY</u> |
| 2020016A | E PASADENA |
| 2550062A | GLENDALE |
| 2630192A | HACIENDA HEIGHTS |
| 2700094A | HAWTHORNE |
| 2700116A | HAWTHORNE |
| 3450028A | LAKEWOOD |
| 3670032A | LENNOX |
| 4450029A | MONTEBELLO |
| 4800048A | NORWALK |
| 5050008A | PALOS VERDES |
| 5550001A | REDONDO BEACH |
| 6100015A | SAN GABRIEL |
| 9000348A | LOS ANGELES |
| 9001361A | LOS ANGELES |
| 9002323A | LOS ANGELES |
| 9005307A | LOS ANGELES |
| 9006635A | LOS ANGELES |